

The Real Property Law Section

<http://www.calbar.org/rpsection>

STATE BAR OF CALIFORNIA

MARK YOUR CALENDARS!

July 22, 2003, noon

The Real Property Law Section will continue its blossoming tradition of holding joint meetings – this time with the Orange County Bar Association Real Property Section – at the Doubletree Club, 7 Hutton Center Drive, Santa Ana. The featured speakers will be John Chiang, a member of the State Board of Equalization, and Robert Gilmore, the Department of Real Estate's District Manager of Subdivisions.

July 26, 2003

Habitat for Humanity in Sonoma County – get out there and do a good deed. Contact our Pro Bono Committee Chair, Larry Kluck, (707) 442-3758, for details. The Sonoma County Habitat for Humanity is also in need of attorneys with expertise in condominium and townhouse development to inform homeowners' associations in that regard. If you can donate your legal services to Habitat for Humanity, contact John Davenport at (707) 545-3663.

September 4-7, 2003

State Bar Annual Meeting in Anaheim – we will be presenting two programs, "Please Take Notice: Drafting and Serving Effective Tenancy Notices," and "Recent Trends in Unfair Business Practice Litigation: Has the Envelope Been Stretched Too Far?"

October 15-18, 2003

Commercial Real Estate Women (CREW) will hold its national convention in San Francisco – our own Real Property Law Section is proud to sponsor the luncheon on Friday, October 17, featuring a talk by Brett White, president of CB Richard Ellis, Inc.

LEGISLATIVE CONNECTIONS

In an effort to improve and expedite communications between the Executive Committee and the Legislature, the Committee met with Kevin Baker of the Assembly Judiciary Committee, Michael Yang of the Senate Judiciary Committee, and Assemblywoman Judy Chu of the 49th Assembly District. We were joined by Keeva Coe, President of the Sacramento County Bar Association Real Property Section, and Robert (Bob) Cavallero, General Counsel of Stewart Title. We learned a great deal about what goes on in the legislative process, focusing on last year's passing of Senate Bill 800 affecting construction defect litigation, and Assembly Bill 2065 requiring escrow companies to withhold funds. We also discussed pending

legislation which will affect Business & Professions Code section 17200 litigation. Useful connections were made and our State Bar legislative liaisons will continue efforts to improve communication between the Section and our lawmakers.

SACRAMENTO UPDATE

Legislation was offered at the beginning of the current session to amend two laws that went into effect in 2002: SB 800, the Construction Defect law (now Civil Code section 912, et seq.), and Withholding in Sale of Real Property (Revenue and Taxation Code sections 18662 and 18668). There are two bills to amend the Construction Defect law, Senate Bill 458 introduced by John Burton and Senate Bill 523 introduced by Martha Escutia. The Senate has passed both bills and referred them to the Assembly. The Withholding in Sale of Real Property law is being proposed to be amended through Assembly Bill 1338. This bill has passed the Committee on Taxation and Revenue by a unanimous vote and has been referred to the Appropriations Committee of the Assembly. Complete copies of the bills, amendments, history and status can all be found on the State Bar website (calbar.ca.gov), under Attorney Resources, Legislation.

LEADERSHIP PROFILE

This edition honors David Bagley who has contributed a great deal of time, effort and good cheer to the Executive Committee in recent years. We are particularly thankful for his leadership role in presenting a very successful Annual Retreat at the Silverado Country Club in Napa earlier last month.

David Bagley is a partner in Hecht, Solberg, Robinson, Goldberg & Bagley LLP, where his practice includes real estate finance (representing both secured lenders and borrowers), other commercial lending, commercial leasing, real property acquisition and development, and residential development and sales. Before entering private practice in 1985, he served in the U.S. Navy as a surface line officer and, after law school, a judge advocate. Mr. Bagley is a graduate of Columbia University and Stanford Law School, where he was elected to the Order of the Coif.

WEBSITE

We will be moving the Section website onto the new and improved State Bar host website soon, which will provide easier access and cross-referencing. Watch for the new address in the next Newsletter.

(continued on reverse)

The Real Property Law Section Newsletter

June 2003

TAKE ADVANTAGE OF YOUR SECTION MEMBER BENEFITS

As a member of the Real Property Law Section, you have the following benefits:

- Monetary credit towards dues when you use CEB programs for your MCLE needs.
- Subscription to the California Real Property Journal, the leading property law reporter.
- Free membership in any (or all!) of our 20 substantive and geographic subsections.
- The annual Retreat with its many excellent educational offerings and top-flight speakers.
- Legislative analysis services.
- Numerous educational opportunities throughout the year and across the state.

Remember: If you miss a CLE session offered by the State Bar, audiotapes are available. The Versa-Tape Company has a large library of audio cassettes of educational programs sponsored by the Real Property Law Section, the State Bar of California and all of the State Bar Sections. For information, call (626) 791-8907, (800) 727-8883 or visit versatape.com

To contact the Real Property Law Section call (415) 538-2564 or e-mail Pam.Wilson@calbar.ca.gov.

NEWSLETTER CONTRIBUTIONS

To submit materials to be included in the next edition of the Real Property Section Newsletter, please send them to Jean Bertrand at jlbertrand@mjlpl.com or (415) 901-8701 (fax). Items can include announcements of upcoming programs, reports of prior programs, pro bono success stories, and the like.